

State Procurement Office
Procurement of Health and Human Services
**Brief Summary of Administrative Rule Changes
for Chapter 103F, HRS**

This is a summary of the most major changes to Chapter 3-140 through 3-147 and 3-149 HAR, effective 1/23/06. However, this table does not include all changes. Refer to the HAR. Note that Chapter 3-148 (effective 6/19/99) is unchanged and remains in effect.

- Technical changes have been made to all chapters listed above.
- Reporting requirements on contract information for each method of procurement have been amended to allow for more timely reporting to the administrator.
- Where applicable, reference to electronic submission or electronic media has been modified in accordance with current technology.

Chapter	Title	Major Changes
3-140	Definitions	“Advantageous.” Definition has been modified to apply to all instances of its use in Chapters 3-140 to 3-149. “Departmental coordinator.” Title has been changed from “POS coordinator.”
3-141	General Provisions	Public Procurement Notices. Requirements are centralized in this chapter. Procurement notices are required to be posted/published on the Procurement Notices Website (PNS). Publication in newspaper is optional. Notice for RFPs. Minimum public notice for an RFP is 28 days. Exemptions. Requires request for exemption to include a notice and requires the chief procurement officer to post a request for exemption on the internet for 7 days prior to action to approve. Procurement Violations. Established procedure for reporting procurement violations (and corrective action) and requesting after-the-fact payments.
3-142	Planning	Planning is required. A brief reference to planning activities conducted shall be in each RFP. Requests for information (RFI). Makes conducting an RFI a minimum requirement when developing an RFP and optional at other times. Notice of RFI. Requires public notice of RFIs in accordance with requirements in Chapter 3-141. Federal Grant Applications. Clarifies the use of RFIs when utilized for applying for a federal grant pursuant to section 3-143-614. Planned Purchases. Changes the requirements for reporting planned purchases to the administrator to allow for more timely updates.
3-143	Competitive Purchase of Service	Proposal submittal deadline. Increased from 21 to 28 days from date RFP is first available. Evaluation of proposals. Numerical evaluations require a written explanation of scores.

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Chapter	Title	Major Changes
3-143	Competitive Purchases of Service (continued)	<p>Multiple awards. Adds types of criteria that may be used as a basis for multiple awards.</p> <p>Addenda to RFPs. Clarifies that addenda may be made prior to requests for final revised proposals.</p> <p>Service specifications. Adds specification of method of payment to be included in the RFP.</p> <p>Registration. Deletes pre-registration process, as it is no longer needed. State agencies shall ensure applicants are in good business standing prior to contracting.</p> <p>Substitute providers after early termination of contract. Clarifies procedure for selection of substitute provider after early termination of contract.</p> <p>Final revised proposals. Requires that requests for final revised proposals be issued by addendum.</p> <p>Secondary Purchases. Changes the maximum amount of an after-the-fact secondary purchase to 30% of the primary purchase or \$75,000 whichever is less.</p> <p>Joint requests for proposals. Adds a procedure for two or more purchasing agencies to issue a joint request for proposals.</p> <p>Applications for federal funding. Amends title. When utilizing the RFI process in order to include a provider in an application for a federal grant, a written justification for selection of the provider shall be included in the procurement file.</p>
3-144	Restrictive Purchase of Service	<p>Public notice. Requires public notice to be posted on a central website for a minimum of 7 days prior to any approval action by chief procurement officer.</p> <p>Protest submittal deadline. The submittal deadline for protests shall be the seventh day after the the notice is first posted.</p> <p>Amendment. Establishes a procedure for requesting an amendment to a restrictive purchase of service.</p>
3-145	Treatment Purchase of Service	<p>Selection of provider. At least three applicants shall be contacted, when applicable.</p> <p>Negotiations. Clarifies procedure when negotiations with a selected provider fail.</p>
3-146	Small Purchase of Service	Technical changes.
3-147	Crisis Purchase of Service	Technical changes.
3-149	Contracting	Technical changes.

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